

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Melvin Anthony Baker

Serial No.: 10/071,845

For: ICE-MAKING MACHINERY AND A TOOL AND METHOD FOR  
CONTROL THEREOF

Filed: February 6, 2002

Examiner: Tanner, Harry B.

Art Unit: 3744

Confirmation No.: 1389

Customer No.: 27623

Attorney Docket No.: 385.7313USU

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OCT 08 2004

TECHNOLOGY CENTER R3700

**RESPONSE TO RESTRICTION**

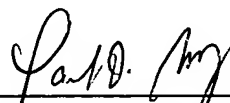
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the non-final Office Action dated September 10, 2004, Applicant hereby elects the invention of Group I (i.e., claims 1 and 2). It is respectfully requested that this application be examined in the very near future.

Respectfully Submitted,

Date: 9-30-04

  
\_\_\_\_\_  
Paul D. Greeley  
Reg. No. 31,019  
Attorney for Applicant  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
One Landmark Square, 10<sup>th</sup> Floor  
Stamford, CT. 06901-2682  
(203) 327-4500

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Applicant(s): Melvin Anthony Baker

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Customer No.: 27,623

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Attorney Docket No.: 385.7313USU

**Mail Stop Amendment  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Dear Sir:

**AMENDMENT TRANSMITTAL**

We are enclosing a Response to Restriction in response to the communication dated September 10, 2004 in the above-identified application.

Petition for extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$\_\_\_\_\_ to extend the time for filing this response until \_\_\_\_\_.

The fee for any change in number of claims has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	12	Minus	20	0	x \$18.00	\$
Independent Claims	4	Minus	3	0	x \$86.00	\$
MULTIPLE DEPENDENT CLAIM FEE				x \$290.00 = \$		
TOTAL FEE FOR CLAIM CHANGES				\$0.00		
1/2 FILING FEE FOR SMALL ENTITY				\$N/A		


The total fee for this amendment, including claim changes and any extension of time is calculated to be \$ 0.00 .

       A check in the amount of \$ 0.00 is attached.

X The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.

September 30, 2004

Date



Paul D. Greeley, Esq.

Attorney for Applicant(s)

Registration No. 31,019

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

One Landmark Square, 10<sup>th</sup> Floor

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**CERTIFICATE OF MAILING**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON September 30, 2004 .

Joanne A. Romaniello

NAME



SIGNATURE

9/30/04

DATE